

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on November 24, 2008 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.


Celeste Healion

Appl No. : 10/590,761 Confirmation No. 7304
Applicant : Kitagawa, Harukazu
Filed : August 24, 2006
Title : IMMUNOSTIMULATORY OLIGONUCLEOTIDE THAT INDUCES
INTERFERON ALPHA
TC/A.U. : 1633
Examiner : Janet L. Epps Ford
Docket No. : 58270/A400
Customer No. : 23363

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
November 24, 2008

Commissioner:

In response to the Notice of Non-Compliant Amendment of September 24, 2008, we first would like to express appreciation for the advice provided by the Examiner. We now provide the following clarification.

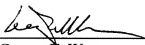
The Examiner noted that the substitute specification does not conform to 37 CFR 1.125(b) and (c) because the substitute specification has been filed with claims. Thus, there were two sets of claims: (1) one set is listed in the substitute specification and (2) another set is listed in the Amendment filed on June 12, 2008. Please remove (1) the set of claims that is listed in the substitute specification. The claims to be examined are listed in the Amendment filed on June 12, 2008. The set of claims in the Amendment incorporates previous amendments to the claims.

Appln No. 10/590,761
Amdt date November 24, 2008
Reply to Office action of September 24, 2008

In addition, Applicants would like to clarify that on page 8 line 7 in the Remarks/Arguments section of Amendment letter filed on June 12, 2008, the term "referenced G10-PS oligonucleotide" should be "referenced G10-PO oligonucleotide," not G10-PS. The correct term is understood in the context of the argument.

Applicants submit that the amended specification can now be entered and the application is in condition for allowance. Should the Examiner wish to speak with Applicants' attorney, she is invited to contact the undersigned at the telephone number identified below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By  _____
George T. Wu
Reg. No. 62,308
626/795-9900

GTW/gtw

GTW PAS824979.1-* 11/24/08 3:28 PM